



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Mark Ashby
SERIAL NO.: 10/007,204
FILING DATE: 11/8/01
TITLE: SYSTEM AND METHOD FOR DELIVERING HEMOSTASIS
PROMOTING MATERIAL TO A BLOOD VESSEL PUNCTURE
SITE BY FLUID PRESSURE
EXAMINER: Kennedy, Sharon E
ART UNIT: 3762

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APR 28 2004
TECHNOLOGY CENTER

CERTIFICATE OF MAILING

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Date: April 23 2004

Name:

Ruth Rodriguez

COMMISSIONER FOR PATENTS
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INFORMATION DISCLOSURE STATEMENT

Each item of information listed in the attached FORM PTO-1449, for which a copy of each is attached (unless the blanket waiver referred to below applies), may be material to the examination of the above-identified application and is, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR §§ 1.56, 1.97 and 1.98. The Examiner is requested to review, consider and document each such item in the official record of this application.

04/27/2004 MBERHE 00000138 501698 10007204
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Note: If this box ☐ is checked, this case was filed after June 30, 2003 and qualifies for the blanket waiver of deposit of copies of U.S. Patents and U.S. Patent Application Publications in accordance with the written waiver of 37 CFR §1.98 (a)(2)(i) dated July 11, 2003. Accordingly, such copies are not attached.

This Information Disclosure Statement under 37 CFR §§ 1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

I

This statement is filed pursuant to **(CHECK ONE BOX)**:

☐

37 C.F.R. § 1.97(b).

This information disclosure statement is filed either:

- (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;
- (3) before the mailing date of a first office action on the merits; or
- (4) before the mailing of a first office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114, **whichever event occurs last.**

Accordingly, this information disclosure statement requires no fee and no certification.

☒

37 C.F.R. § 1.97(c).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97(b), but **before** the mailing date of any of the following:

- (1) a final action under 37 C.F.R. § 1.113;
- (2) a notice of allowance under 37 C.F.R. § 1.311; or
- (3) an action that otherwise closes prosecution in the application.

Accordingly, this information disclosure statement requires either:

- (1) the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c); or
- (2) a certification according to 37 C.F.R. § 1.97 (e)(1) or (2).

☐

37 C.F.R. § 1.97(d).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97 (c).

Accordingly, this information disclosure statement requires:

- (1) a certification in accordance with 37 C.F.R. § 1.97(e); and
- (2) the fee specified in 37 C.F.R. § 1.17 (p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d).

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. **To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.**

II

Fees Due (**CHECK ONE BOX**):

☒

No fee is due.

☐

The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) or 37 C.F.R. § 1.97(d) is enclosed (\$180).

III

Certification (**CHECK ONE BOX**):

☒

No certification is necessary.

☐

Pursuant to 37 C.F.R. § 1.97(e)(1), the undersigned hereby certifies:

That each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

☐

Pursuant to 37 C.F.R. § 1.97(e)(2), the undersigned hereby certifies:

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this information disclosure statement.

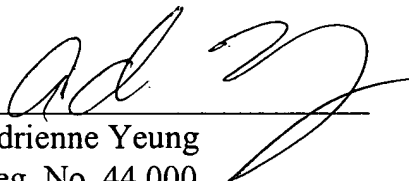
IV

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge any additional required fee or credit any overpayment to our deposit account number 50-1698.

Respectfully submitted,
THELEN REID & PRIEST LLP

Dated: April 23, 2004


Adrienne Yeung
Reg. No. 44,000

THELEN REID & PRIEST LLP
P.O. Box 640640
San Jose, CA 95164-0640
(408) 292-5800 direct dial
(408) 287-8040 direct fax

Form PTO 1449

(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

034298-124

Serial No.

10/007/204

Information Disclosure Statement by Applicant

Applicant: Mark Ashby

Filed: 11/8/01

Group: 3762

(Use several sheets if necessary)

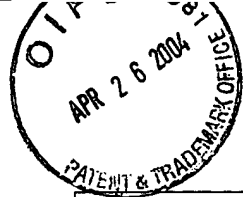
U.S. Patent Documents

Init.	Document No.	Date	Name	Class	Subclass	Date
A	4,211,323		Olsen			7/80
B	4,218,155		Weidner			8/80
C	4,292,972		Pawelchak			10/91
D	4,238,480		Sawyer			12/88
E	4,323,072		Rosenbluth et al			4/82
F	4,340,066		Shah			7/82
G	4,404,970		Sawyer			9/83
H	5,437,292		Kipshidze			8/95
I	5,443,481		Lee			8/95
J	5,490,736		Haber			2/96
K	5,522,840		Krajicek			6/96
L	5,527,332		Clement			6/96
M	5,676,689		Kensey			10/97
N	4,573,576		Thomas C. Krol			3/83
O	4,708,718		Daniels			11/24E/87
P	4,869,143		Merrick			9/89
Q	5,242,683		Klaveness			09/07/93
R	5,282,827		Kensey et al.			2/94
S	5,507,279		Fortune			4/96
T	5,601,603		Illi			02/11/97
U	5,782,861		Cragg, et al.			07/21/98
V	5,868,762		Cragg, et al.			02/09/99
W	5,902,310		Foerster et al.			5/99
X	5,984,950		Cragg, et al.			11/16/99
Y	6,007,563		Nash, et al.			12/28/99
Z	6,071,300		Brenneman, et al.			06/06/00
A1	6,162,192		Cragg et al.			12/00
B1	6,200,328		Cragg, et al.			03/13/01
C1	US2002/0042378		Reich et al			4/11/02
D1	US2003/0088271		Cragg et al			5/8/03

Examiner

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.



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Form PTO 1449 (Rev. 2-32)				U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. 034298-124		Serial No. 10/007/204	
Information Disclosure Statement by Applicant						Applicant: Mark Ashby			
(Use several sheets if necessary)						Filed: 11/8/01		Group: 3762	
U.S. Patent Documents									
Init.		Document No.	Date	Name	Class	Subclass	Date		
	E1	3,358,689		John L. Higgins			12/19/67		
	F1	3,411,505		P.D. Nobis			11/19/68		
	G1	3,736,939		Glenn N. Taylor			6/5/73		
	H1	4,098,728		Solomon Rosenblatt			7/4/78		
	I1	4,219,026		Terry No. Layton			8/26/80		
	J1	4,224,945		Jonathan Cohen			9/30/80		
	K1	4,405,314		Constantin Copi			9/20/83		
	L1	4,699,616		George M. Norwak			10/13/87		
	M1	4,832,688		Sagae, et al			5/23/89		
	N1	4,839,204		Yoshino			6/13/89		
	O1	5,049,138		Chevalier et al			9/17/91		
	P1	5,129,889		John L. Hahn			7/14/92		
	Q1	5,192,290		Said Hilgal			3/9/93		
	S1	5,219,899		Panster et al			6/15/93		
	T1	5,232,453		Plass et al			8/3/93		
	U1	5,254,105		John Haaga			10/19/93		
	V1	5,320,639		James Rudnick			6/14/94		
	W1	5,342,388		Sonia Toller			8/30/94		
	X1	5,350,399		Erlebacher et al			9/27/94		
	Y1	5,352,211		William Merskelly			10/4/94		
	Z1	5,447,502		John Haaga			9/5/95		
	A2	5,458,570		James May, Jr			10/17/95		
	B2	5,545,175		Abidin et al			8/13/96		
	C2	5,571,168		Connie Toro			11/5/96		
	D2	5,601,601		Tal et al			2/11/97		
	E2	5,620,461		Wouter M. Muijs Van De Moer			4/15/97		
	F2	5,674,346		Nikhil K. Kundel			10/7/97		
	G2	5,707,393		Kensey et al			1/13/98		
	H2	5,931,165		Reich et al			8/3/99		
Examiner					Date Considered				

Form PTO 249
(Rev. 2-32-2004)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.
034298-124

Serial No.
10/007/204

3055

Information Disclosure Statement by Applicant

Applicant: Mark Ashby

(Use several sheets if necessary)

Filed: 11/8/01

Group: 3762

U.S. Patent Documents

Init.	Document No.	Date	Name	Class	Subclass	Date
I2	2,370,319		J.G. Lippincott			2/45
J2	2,874,776		H.E. Hooe			2/59
K2	4,644,649		Seaman et al			2/87
L2	5,399,361		Song, et al			3/95
M2	5,462,194		Keith Barawell			10/95
N2	6,033,427		Benjamin Lee			3/7/00
O2	6,056,768		Cates et al			5/2/00
P2	6,066,325		Wallace et al			5/23/00
Q2	6,090,130		Nash et al			7/18/00
R2	6,126,675		Shchervinsky et al			10/3/00
S2	6,371,974		Brenneman et al			4/02
T2	6,440,151		Cragg et al			8/02
U2	6,440,153		Cragg et al			8/02
V2	6,477,534		Cragg et al			9/02
W2	6,503,222		Julian Lo			1/03
X2	6,527,734		Cragg et al			3/03
Y2	6,540,735		Ashby et al			4/03
Z2	6,544,236		Cragg et al			4/03
A3	6,610,026		Cragg et al			8/03
A4	4,836,204					
AA1	US2002/000289		Ashby et al			1/021
BB1	US2002/0016612		Ashby et al			2/02
CC1	US2004/0019328		Chi Sing et al			1/04
DD1	US2004/0019330		Mark Ashby			1/04
EE1	US2003/0028140		Richard J. Greff			2/03
FF1	US2002/0038133		Chi Sing			3/02
EE1	US2002/0062104		Ashby et al			5/02
GG1	US2003/0088269		Mark Ashby			5/03
HH1	US2003/0120258		Ashby et al			6/03
II1	US2003/0135237		Cragg et al			7/03
JJ1	US2002/0156495		Brenneman et al			10/02

Examiner

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.

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Foreign Documents

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